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LETTER DATED 2 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 2 October 1991 from Mr. Ahmad Hussein, Minister for Foreign Affairs of Iraq, concerning the conduct and demeanor of Mr. David Kay, Chief of the sixth nuclear inspection team, and in which the Minister requests that his letter should be circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 2 October 1991 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to apprise you of the behaviour and of the systematically biased demeanour of the Chief of the sixth nuclear inspection team, Mr. David Kay, namely behaviour and demeanour which corroborate our previous statements to the effect that this person is serving the purposes of a United States policy hostile to Iraq, purposes which have no connection with the tasks defined by the United Nations. The recent published reports concerning his direct contacts, from Baghdad, with his superiors in the United States Administration, which are at variance with the apparent nature of his mission to act on behalf of the United Nations, have confirmed this fact.

The true state of affairs was also confirmed by the statements made on 30 September 1991 to a number of correspondents at United Nations Headquarters in New York by Mr. Rolf Ekéus, Executive Chairman of the Special Commission, when he said that Washington had received from David Kay important information relating to Iraqi documents before it was received by the United Nations.

Mr. Ekéus said that he and the members of the Special Commission were dissatisfied with this mode of action, the inspection teams being answerable only to the International Atomic Energy Agency and to the Special Commission itself. He added that Washington was better informed of some intelligence information than was the United Nations. What is highly alarming is that Washington is leaking information received from David Kay to the press.

I

The Chief Inspector insisted on seizing information relating to the personal and family lives of employees of establishments belonging to the Ministry of Industry and Mining and to the Iraqi Atomic Energy Commission. He also insisted on taking scientific and technical reports and the names of those who had collaborated in their preparation as well as administrative reports that had no relation to the appraisal of the nuclear programme.

The seizure of such information is a flagrant violation of a basic human right. What arouses our deepest concern is the fact that this measure was taken in the name of the United Nations and under its aegis, while no one can have any doubt that it is an act which serves the purposes of the United States intelligence community, for which the Chief Inspector works, with the objective of launching a campaign of intimidation against these employees and the members of their families and placing their lives in jeopardy. The Chief of the sixth inspection team went so far as to seek to have the nuclear physics textbooks studied at institutes and colleges regarded as being in violation of the relevant Security Council resolution. This is a serious matter that cannot be ignored or passed over in silence; he is thereby seeking to deprive Iraqi students of another basic human right, namely the right to learn.

Our concern is further aroused by the claim of the Chief Inspector and the members of the sixth inspection team on 23 and 24 September 1991 that documents were seized of which we know nothing. The team carried out an inspection of the buildings and confiscated documents before the employees concerned arrived, without their knowledge and without them seeing. This is unacceptable, and we have no explanation for the incident other than that the Chief Inspector and those of the team members who had private links with foreign intelligence circles were seeking particularly on 24 September 1991, to insinuate spurious documents that had nothing to do with us in order to provide a rationale for the false accusations given currency by the governments whose purposes they serve, namely purposes that have no connection whatever with the resolutions of the Security Council.

We reaffirm our position, as communicated by our Permanent Representative in his letter of 26 September 1991 to the President of the Security Council, that we do not and shall not acknowledge any documents other than those the numbers of which were given by the Chief of the Iraqi team in his letter of 23 September 1991 addressed to the Chief of the sixth international inspection team and those with respect to which an inventory was drawn up on 30 September 1991.

II

During the time the sixth nuclear inspection team under the leadership of Mr. David Kay was in Iraq, the Chief Inspector and some of the team members behaved in a provocative manner that was contrary to the most elementary norms that prevail in all countries. They performed actions that are incompatible with prevailing customs and values in Iraqi society, and we should like to cite some of them here:

1. On 23 and 24 September 1991, members of the team forced open doors, broke them down and broke locks. The team began its visit two hours before the start of the official workday and before the employees occupying the two buildings visited by the team had yet arrived.

2. On 23 September, some members of the team climbed over the fence before the team convoy arrived with its Iraqi escorts.

3. Some members of the team opened handbags and briefcases that were the private property of the staff and tampered with their contents, such as family photographs and medication.

4. Some members of the team thrust their hands into the pockets of the laboratory coats of female members of the laboratory staff. Such disgraceful behaviour is tantamount to scheming to steal personal items.

5. Some of them opened envelopes containing private letters, read the letters and tried to copy them.

6. They also copied letters sent by a research worker to an international periodical published in a European country requesting it to publish papers he had written.

7. They photographed the registration plates of private vehicles belonging to the staff.

8. On the pretext of washing himself one member of the team undressed in the middle of the parking lot in full sight of residents and families living in the apartments opposite. Such conduct constitutes a provocation to the sentiments of the local people and displays contempt for the values and morals of Iraqi society.

9. They endeavoured, by all possible means, to obtain personal information on all those employed in the Iraqi nuclear programme and in the industrial establishments that supplied it.

The Iraqi officials accompanying the team and the staffs at the sites the team visited exercised the greatest degree of self-control and behaved judiciously despite such provocative modes of behaviour.

In placing these facts before you, we are hopeful that you, the Security Council and the Executive Chairman of the Special Commission will bring this provocative and offensive behaviour to a halt and that you will issue unequivocal instructions to inspection teams visiting Iraq that they must adhere to the tasks designated by the relevant Security Council resolutions and act in accordance with the proper legal interpretation of those resolutions. We further stress the matter that we raised at the time of the visit of Mr. Ekéus and Mr. Blix to Baghdad on 1 July 1991, namely that the selection of inspectors from countries that have particular, biased attitudes against Iraq is a major source of problems. We do not understand the reasons that prompted the Special Commission to include 27 Americans among the 44 members of the sixth inspection team, at a time when no one can be unaware that the United States is persisting in its pursuit of a hostile and biased policy against Iraq, a policy that has no connection with the resolutions of the Security Council.

I request you to have this letter circulated as a document of the Security Council.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs
of the Republic of Iraq